

21.12.13

3 Senator S.Y. Mézec of the Minister for Housing and Communities regarding St. Saviour's hospital site to be allocated for housing (OQ.248/2021):

Following the announcement that the former St. Saviour's Hospital site will be allocated for future housing development, will the Minister state which housing provider, if any, has been identified to take on the development of the site, and what instructions have they been given on the proportion of affordable homes to be created as part of this development?

Senator J.A.N. Le Fondré (The Chief Minister - *rapporteur*):

It is the Chief Minister in the absence of the Minister for Housing and Communities who unfortunately is not able to get back on to the Island today for reasons completely out of his control. I am sure States Members will be aware that given the size, location and scale of the St. Saviour's former hospital site as a housing development it is going to be subject to a very comprehensive design and layout. That is all going to be about creating a mixed development both in terms of property type, size, tenure and seeking to build a very strong, balanced and sustainable community. It is a big site. There have been preliminary discussions with Andium Homes who have previously expressed an interest in the site. They are obviously very keen to progress with a suitable bespoke housing development given the importance of that site. At this early stage in the process, it is estimated the site will accommodate as many as 200 units - one would always hope they can achieve more - and the intent is that the vast majority will be social housing and assisted purchase properties with the actual numbers determined as the design progresses. If I am allowed to add a little bit more, there are also a load of factors to take into account. For example, there is scope for key worker accommodation. Very likely, given the size of the site, it would be a village style development and the other thing to take into account is that any renovations of the granite building, which is also a grade one listed building, will be very expensive. That will need to be taken into account. But there are very significant opportunities and, in particular, opportunities definitely to address social housing, assisted purchase schemes in a very significant manner.

3.3.1 Senator S.Y. Mézec:

I am extremely pleased to hear that answer from the Chief Minister as it is exactly what I was calling for a year and a half ago to be done with this site. Can he just confirm beyond any doubt that the 15 per cent target that is being applied to other States-owned sites has been put in the bin in the context of this particular development?

Senator J.A.N. Le Fondré:

As I said, at this stage it is intended that the vast majority will be the areas I have already identified.

The Bailiff:

Senator Moore, you say you have a question for me, is that correct?

Senator K.L. Moore:

I wrote to you on behalf of the Scrutiny Liaison Committee to ask you to give a ruling.

The Bailiff:

I think we should leave it until at least the question is finished. I thought it might have been a point of order so let us wait until this particular question has been dealt with.

3.3.2 Deputy K.G. Pamplin of St. Saviour:

My question to the Chief Minister in respect to the area and the site of St. Saviour's Hospital, which is currently still running its mental health services, what can he tell us about the due consideration that will be needed for the entire area that services that part of Health and Community Services?

Senator J.A.N. Le Fondré:

Do you mean how is the present use of the site going to be replaced effectively? There are 2 areas: first is obviously, as we know, a full aspect of the mental health side will move up to Overdale in the new scheme. That obviously will carry out planning permissions, et cetera. Secondly, it is not inconceivable, given the size of the site, bearing in mind which side of the road one is talking around, it is perfectly conceivable that Health may wish to have a modern facility up there, for example, for dementia, as well as having the housing offering that we talked about. That is why we are saying it is very, very early days. The size of the site does warrant a whole range of uses and therefore a quite considered plan that is brought together over the next whatever timescale it is. It will be more than a few months.

3.3.3 Deputy K.G. Pamplin:

I thank the Chief Minister for his answer because I was thinking about not just the in-patient facility but the continuation of the senior adult wards like dementia, as he mentions. I am glad to hear that full process because that is years away but equally it is an obvious question. But the Parish obviously being involved, how can he ensure that the future Government will engage with all the representatives of the Parish pre or post the next election?

Senator J.A.N. Le Fondré:

If it helps, as Chief Minister, I give an absolute commitment because I know that the Minister for Housing and Communities had already spoken to the Connétable of St. Saviour on this subject. I give an absolute commitment that the Parish of St. Saviour and any other parties will be engaged in the development of this scheme.

3.3.4 Deputy G.P. Southern:

When will the Chief Minister be in a position to put some figures on what this vast majority of home supplies is going to be?

[14:30]

Senator J.A.N. Le Fondré:

I cannot answer that one yet because basically the whole mix of this is around how many you can get on to the site and what the overall site costs are. I am obviously not talking about land value. I am talking about what the planning requirements will be on the existing buildings up there, for example the grade one listed, and also what else has to happen to other parts of that site. Including, for example, if Health do want a dementia unit there or not, which would be for them to consider. But for me, the vast majority is more than 50 per cent. That is the way I would interpret that. But until you know the absolute number of units, I cannot give any more precise figures than that. It will take a while to get that scheme drawn up.

3.3.5 Deputy G.P. Southern:

Without wishing to argue with the Chief Minister, over 50 per cent is a slim majority.

Senator J.A.N. Le Fondré:

I am not bandying words with the Deputy on this one. I think the point is we want to see the site used for the outline that we have given because that is also the commitment we gave in the previous debate. This is the type of site that lends itself to this type of development. But we do know equally there are a lot of pressures of all sorts of areas, as I said, including key workers, for example. I would hope and imagine that a scheme with significant provision, as I have talked about, and as we said more by far, the majority, being in those categories.

3.3.6 Deputy R.J. Ward of St. Helier:

Does the Chief Minister have an indicative timescale for when these homes might be built and available for people who are so desperately in need of a new place to live?

Senator J.A.N. Le Fondré:

I do not have one to hand. There was a timeline that was produced. I thought that was shared with Members and I think it did refer to St. Saviour on there. One also has got to make sure that, for fairly obvious reasons, the certainty or the reason we have been able to release this site is because we believe we have got certainty on Overdale in terms of States decisions. If, for example, there is any change to that project ... we need to make sure that the planning permissions on Overdale in my view are achieved, which will hopefully be before the elections or around the elections, and then that will give absolute clarity as to the timeline we can work on. That then gives clarity as to when the mental health unit, for example, will be moved out of St. Saviour to go up to Overdale. That will then determine when we can essentially be ready to go into devolution and to clear the site.

The Bailiff:

A supplementary, Deputy?

3.3.7 Deputy R.J. Ward:

Yes. I did not have one until that answer. Can I just confirm with the Chief Minister that there is still a risk that this site will not be used for housing, from what he has just said, and that we will not have an indicative timescale until a number of other variables seem to have been decided upon? Am I interpreting that wrongly?

Senator J.A.N. Le Fondré:

Sorry, I probably phrased it slightly badly. The point I was trying to make is if there is any delay in getting the mental health facility agreed up at the Overdale site that would mean then the provision would continue at St. Saviour's Hospital until that had been resolved and that could delay. In other words, there are things that are lined up that free these up. We believe we are in a position to start planning, but one will not have absolute certainty until the fate of the scheme at Overdale is resolved. That, we hope, will be in the first few months of next year and at that point one will then have absolute certainty and certainty as to a timeline. I do agree with public comments that have been made over the weekend. What we should be doing when we have that certainty is then essentially have that planning happening in parallel such that when the site is vacated essentially the diggers can move in.

3.3.8 Deputy G.J. Truscott of St. Brelade:

St. Saviour's Hospital is a grade one listed building and does afford the greatest protection in planning terms. What is the general consensus? Is the main view to knock it down or to preserve it?

Senator J.A.N. Le Fondré:

I think we are getting significantly ahead of ourselves in terms of what that scheme might look like. I genuinely do not have an answer to that. Certainly, bearing in mind I know Deputy Truscott is a member of the Planning Committee, I am not going to have a debate on planning policy, particularly around grade one listed buildings because that is definitely within the remit of the plans that the Planning Department will put together in relation to this scheme. My understanding at present would be that we would be expected to keep the existing building.

Deputy G.J. Truscott:

I do believe it will come in front of Planning so I will leave it there.

3.3.9 Connétable S.A. Le Sueur-Rennard of St. Saviour:

I am a little bit disappointed with this going on here at the moment. St. Saviour, yes, Deputy Labey has spoken to me about it and I have said what I feel should be needed there, but it will not be my problem, because I will no longer be in office because I am stepping down.

The Bailiff:

Connétable, this has to be a supplementary question. It cannot be a statement of your ...

The Connétable of St. Saviour:

No, I am saying, Sir, this would have to go to a Parish Assembly, and I know the Deputy is not here, but surely the parishioners who are already being railroaded will have a say on what happens to St. Saviour's. This is very rude to the parishioners.

The Bailiff:

So, will the parishioners have a say I think is the question, Chief Minister?

Senator J.A.N. Le Fondré:

I thought I gave a commitment as clear as I could that, as Chief Minister, as far as I am concerned, the Parish will have absolute engagement on getting this project moving forward. I would just say I think the point I am trying to make as well in some of the responses is that there are a number of issues one has got to get past, before one is even starting to put pen to paper, and that process has not started yet, as far as I am aware. We have got to have certainty and as part of that process I am absolutely committed that the Parish should be involved.

3.3.10 The Connétable of St. Saviour:

Everybody is discussing this for St. Saviour and I am going to hold you to this, Minister, even if I am not in office when this does take place. You must involve the St. Saviour parishioners. They have enough ...

The Bailiff:

Connétable, I am really sorry. Connétable, I am very sorry, but that is not a supplementary question. That is a statement made to the Chief Minister. If you have a supplementary question then you are more than at liberty to ask it, but otherwise this is simply not the place and the time for those kinds of statements.

The Connétable of St. Saviour:

Thank you, Sir. Well, could the Minister please guarantee that he will involve the new Constable and whoever is in St. Saviour, please?

Senator J.A.N. Le Fondré:

If I am in a position to do that, bearing in mind there is an election, then absolutely. What I have done as Chief Minister, which I would hope would carry forward, is that as Chief Minister I have committed that the Parish will be engaged, and that will obviously include the Connétable.

3.3.11 Senator S.Y. Mézec:

Will the Chief Minister agree that this project stands in stark contrast to those that have been proposed to be led by the States of Jersey Development Company in their ability to provide the homes that we demonstrably need in Jersey? Would he further agree that Andium Homes should be seen as the provider of choice for affordable housing on all States-owned sites in future?

Senator J.A.N. Le Fondré:

I think the point is each site comes with its own characteristics and its own challenges and each provider we have brings different skill sets, different planning, different approaches to that. I do agree that there is merit in reviewing those overall structures to make sure that we do not have too many overlaps in how we do things, but I do not think we can give a preference over one developer to another, even though both are in ... because they both have different remits, both of which have been approved by this Assembly.

The Bailiff:

Very well. Now, Senator Moore, we have come to the end of that question. Do you have a point of order that you wish to raise with me?

Senator K.L. Moore:

Forgive me for not raising it at an earlier point in the sitting, however the Scrutiny Liaison Committee did write and ask if you would be kind enough to consider a ruling, and it prompted me to raise this point with you, to see the Chief Minister sitting in his office in Broad Street answering questions rather than being here in the Chamber today, Sir. We have pointed out that there is a level of concern in relation to the potential for officers assisting Ministers in question time but also in major debates. Of course, the main reason for the letter was because of the coming Government Plan debate but also we raised the concern about these behaviours creeping into question time also.

The Bailiff:

So the concern is about the presence of officers or other persons with Ministers when they answer questions?

Senator K.L. Moore:

Yes, Sir, but also the fact that it is perfectly possible to be socially distanced in this Chamber. We have one Minister here today, yet no others.

The Bailiff:

I am aware that I have received a communication from Senator Mézec, who has raised a very similar point and asked me to make a ruling. He indicated that he would ask for that ruling at the end of the afternoon. Are you content to wait until the end of the afternoon for that ruling?

Senator K.L. Moore:

Sir, I do think that some ruling needs to be made with regards question time, because this is another opportunity and I see no reason why Ministers, if they are able to attend their office today, then they should be able to attend the Chamber.

The Bailiff:

Senator, did you wish to raise your point of order, which is on very similar terms, I think?

Senator S.Y. Mézec:

Sir, if it is convenient to do so now. Obviously I do not want to disrupt the running of question time.

The Bailiff:

We will allow injury time, as it were.

Senator S.Y. Mézec:

Excellent. I am pleased to hear that, Sir. As you know, I communicated with you over the weekend to raise a very similar point to that which Senator Moore has raised, which is that on a previous occasion a Bailiff has made a ruling with regards to strangers in the precincts of the States Chamber when in the past there has been an abundance of civil servants in the facilities here, and a ruling was made that they should not be present at that time. Things have now changed because of hybrid sittings where you could argue that the precincts of the States Chamber now extend to the other side of a computer screen, irrespective of where in the Island that would be. I wanted to ask you if you would be able to consider that previous ruling in the new context we find ourselves in, where States Members, and in particular Ministers, do not have to be present in the Chamber and where certainly today it seems that there is a choice for many Members to not be present in the Chamber, with the admirable exception of the Minister for Health and Social Services. I would like to ask if you could consider that previous ruling and consider whether that principle of there being a degree of separation between Members and officers can be considered now, so that those Members holding the Executive to account can be sure that we have direct access to Ministers without any interference that would not be present physically in this Chamber.

The Bailiff:

I am able to give a ruling now. Because of the helpful notice that I have had of the ruling and the fact that it would be asked today I was able to consider it over the lunch period. I have been asked to rule on the presence of officers and others with Ministers where Ministers are answering questions with or without notice during a sitting of the Assembly. The Standing Orders which permit remote participation are silent on this point, but they are clearly, as I have ruled in the past, intended to permit Members to participate in a sitting whereby for reasons of the pandemic they would otherwise be unable to do so. Those orders were not designed to extend beyond what is necessary to achieve that end and, as far as is possible, the conditions that obtain in the Assembly should be replicated in the remote environment. The rule of the Assembly extends into those spaces as well. Accordingly, in my view, Ministers should have no greater access to officers and advice than they would if they were in the Assembly. Therefore, it seems to me that officers should not, unless it is impossible to arrange otherwise, be present with Ministers during Ministerial questions. This applies also to non-Ministers answering questions in the formal environment of the Assembly. I appreciate that this ruling may be difficult to police, but I am conscious, as has always been the case, that Ministers will act with integrity and honesty, as is expected of all States Members and will of course adhere to this ruling. As to whether Ministers should be required to be in the Assembly, I think that the position that we are in at the moment is permissive.

[14:45]

Ministers are not required to be in the Assembly, but I would warmly encourage Ministers who are in a position where they are responding directly to questions raised by Members or dealing with a matter that they are bringing before the Assembly, unless they are otherwise unable to do so, to be in the Assembly. I think I can do no more than encourage that at this point. That is the ruling from the Chair. I will allow a further 5 minutes to question time.